





To: John McDonough, City Manager

From: Nancy J. Leathers, AICP, Acting Director of Community Development

Date: September 1, 2011 for submission onto the September 20, 2011 City Council meeting

Agenda Item: **RZ11-006/U11-002 1140 & 1150 Hammond Drive**, a request to rezone the subject property from Mix (Mixed Use District) conditional to Mix (Mixed Use District) conditional to allow multi-family dwelling use and to allow height Use Permits.

***CMO (City Manager's Office) Recommendation:***

**APPROVAL CONDITIONAL** of the request to rezone the subject property from Mix (Mixed Use District) conditional to Mix (Mixed Use District) conditional to allow multi-family dwelling use and to allow height Use Permits.

***Background:***

The site is located on the north side of Hammond Drive and on the east side of Peachtree-Dunwoody Road. The subject property is zoned MIX (Mixed Use District) conditional under Z08-032/U08-014/U08-015/CV08-027 and subsequently modified under U09-003 and ZM09-002/CV09-002. The subject property is slated to be fully developed with mixed use commercial and office, hotel, senior housing independent living apartments, and a health center.

Under Z08-032/U08-014/U08-015/CV08-027 and subsequently under U09-003 and ZM09-002/CV09-002 the owner/developer was generally approved for:

- 753,000 gross square feet of retail, service commercial, and/or office and associated accessory uses.
- 479 senior housing independent living units.
- 92 skilled and assisted living beds.
- A 160-room hotel (11 stories).

**Minimum Development Standards**

Minimum front yard: 20 feet

Minimum side corner yard (Hammond Drive): 12 feet

Minimum side yard (east and west): 10 feet

Minimum rear yard: 10 feet

Minimum heated floor area per dwelling unit: 850 square feet

Minimum internal setbacks, separations, landscaping and buffering between uses is as shown on the site plan which shall comply with the local governing building codes

Maximum building height: 30 stories

Minimum 20% of the site shall be common open space of which 15% shall be green space

***Discussion:***

Under Z08-032/U08-014/U08-015/CV08-027 and subsequently under U09-003 and ZM09-002/CV09-002 the owner/developer was generally approved for: 1) A specific site plan; 2) A seven (7) story commercial building (Goddard School); 3) A thirty (30) story Senior Living Center having 479 units and 92 skilled & assisted living beds; and 4) An eleven (11) story, 160 room Hotel .

Currently, under RZ11-006/U11-002, the applicant is now requesting to: 1) Revise the approved site plan; 2) Maintain the existing seven (7) story commercial building (Goddard School)(U11-002#1); 3) Abandon the Use Permits for the thirty (30) story Senior Living Center having 479 units and 92 skilled & assisted living beds for a Use Permit to allow up to a six (6) story Apartment Complex having 345 units and a parking garage (U11-002#2); and 4) Keep the Use Permit approval for the eleven (11) story, 160 room Hotel (U11-002#3).

***Concurrent Review:***

The staff held a Focus Meeting on July 6, 2011 at which the following city departments provided comments:

- Building and Development Division
- Fire Department
- Transportation Division
- Code Enforcement

In addition, the following external departments were contacted for comment:

- Atlanta Regional Commission
- Fulton County Board of Education
- Fulton County Department of Environment and Community Development
- Fulton County Department of Public Works
- Fulton County Environmental Health Services  
(*comments received*)
- Sandy Springs Council of Neighborhoods
- Sandy Springs Revitalization Inc.
- Georgia Department of Transportation
- City of Atlanta Department of Watershed Management (*comments received*)
- U.S. Postal Service Address Management Systems
- MARTA
- Fulton County Emergency Management



**Rezoning Petition No. RZ11-006/U11-002**

**HEARING & MEETING DATES**

Community Zoning Information Meeting	Community Developer Resolution Meeting	Planning Commission Hearing	Mayor and City Council Hearing
June 28, 2011	July 28, 2011	August 18, 2011	September 20, 2011

**APPLICANT/PETITIONER INFORMATION**

Property Owners	Petitioner	Representative
Corporate Campus, LLC	Corporate Campus, LLC	Nathan V. Hendricks, III

**PROPERTY INFORMATION**

<b>Address, Land Lot, and District</b>	1140 & 1150 Hammond Drive Land Lot 18, District 17
<b>Council District</b>	5
<b>Frontage and Area</b>	796.39 feet of frontage along the north side of Hammond Drive and 1,076.38 feet of frontage along the east side of Peachtree-Dunwoody Road. The subject property has a total area of 19.4274 acres (approximately 846,258 s.f.)
<b>Existing Zoning and Use</b>	MIX (Mixed Use District) conditional under Z08-032/U08-014/U08-015/CV08-027 and subsequently modified under U09-003 and ZM09-002/CV09-002. The subject property is slated to be fully developed with mixed use commercial and office, hotel, senior housing independent living apartments, and a health center.
<b>Interim 2027 Comprehensive Future Land Use Map Designation</b>	Live Work Regional (LWR) Node 6: Perimeter Community Improvement District (PCID)
<b>Proposed Use</b>	MIX (Mixed Use District)

**INTENT**

**TO REZONE THE SUBJECT PROPERTY FROM MIX (MIXED USE DISTRICT) CONDITIONAL TO MIX (MIXED USE DISTRICT) CONDITIONAL TO ALLOW MULTI-FAMILY DWELLING USE AND TO ALLOW HEIGHT USE PERMITS.**

Under Z08-032/U08-014/U08-015/CV08-027 and subsequently under U09-003 and ZM09-002/CV09-002 the owner/developer was generally approved for: 1) A specific site plan; 2) A seven (7) story commercial building (Goddard School); 3) A thirty (30) story Senior Living Center having 479 units and 92 skilled & assisted living beds; and 4) An eleven (11) story, 160 room Hotel .

Currently, under RZ11-006/U11-002, the applicant is now requesting to: 1) Revise the approved site plan; 2) Maintain the existing seven (7) story commercial building (Goddard School)(U11-002#1); 3) **Abandon** the Use Permits for the thirty (30) story Senior Living Center having 479 units and 92 skilled & assisted living beds **for** a Use Permit to allow up to a six (6) story Apartment Complex having 345 units and a parking garage (U11-002#2); and 4) Keep the Use Permit approval for the eleven (11) story, 160 room Hotel (U11-002#3).

**DEPARTMENT OF COMMUNITY DEVELOPMENT RECOMMENDATION**

**RZ11-006 - APPROVAL CONDITIONAL**  
**U11-002#1 - APPROVAL CONDITIONAL**  
**U11-002#2 - APPROVAL CONDITIONAL**  
**U11-002#3 - APPROVAL CONDITIONAL**

**PLANNING COMMISSION RECOMMENDATION**

- RZ11-006 - APPROVAL CONDITIONAL**
- U11-002#1 - APPROVAL CONDITIONAL**
- U11-002#2 - APPROVAL CONDITIONAL**
- U11-002#3 - APPROVAL CONDITIONAL**

The petition was heard at the August 18, 2011 Planning Commission meeting. The Commission recommended approval subject to Staff conditions. Approved (4-3, Pond, Rubenstein, Tart, and Duncan for; Maziar, Thatcher, and Rupnow against).

**Location Map**



**BACKGROUND**

The site is located on the north side of Hammond Drive and on the east side of Peachtree-Dunwoody Road. The subject property is zoned MIX (Mixed Use District) conditional under Z08-032/U08-014/U08-015/CV08-027 and subsequently modified under U09-003 and ZM09-002/CV09-002. The subject property is slated to be fully developed with mixed use commercial and office, hotel, senior housing independent living apartments, and a health center.

Under Z08-032/U08-014/U08-015/CV08-027 and subsequently under U09-003 and ZM09-002/CV09-002 the owner/ developer was generally approved for:

- 753,000 gross square feet of retail, service commercial, and/or office and associated accessory uses.
- 479 senior housing independent living units.
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Minimum Development Standards

- Minimum front yard: 20 feet
- Minimum side corner yard (Hammond Drive): 12 feet
- Minimum side yard (east and west): 10 feet
- Minimum rear yard: 10 feet
- Minimum heated floor area per dwelling unit: 850 square feet
- Minimum internal setbacks, separations, landscaping and buffering between uses is as shown on the site plan which shall comply with the local governing building codes
- Maximum building height: 30 stories
- Minimum 20% of the site shall be common open space of which 15% shall be green space

**EXISTING LAND USE AND ZONING OF ABUTTING PROPERTY**

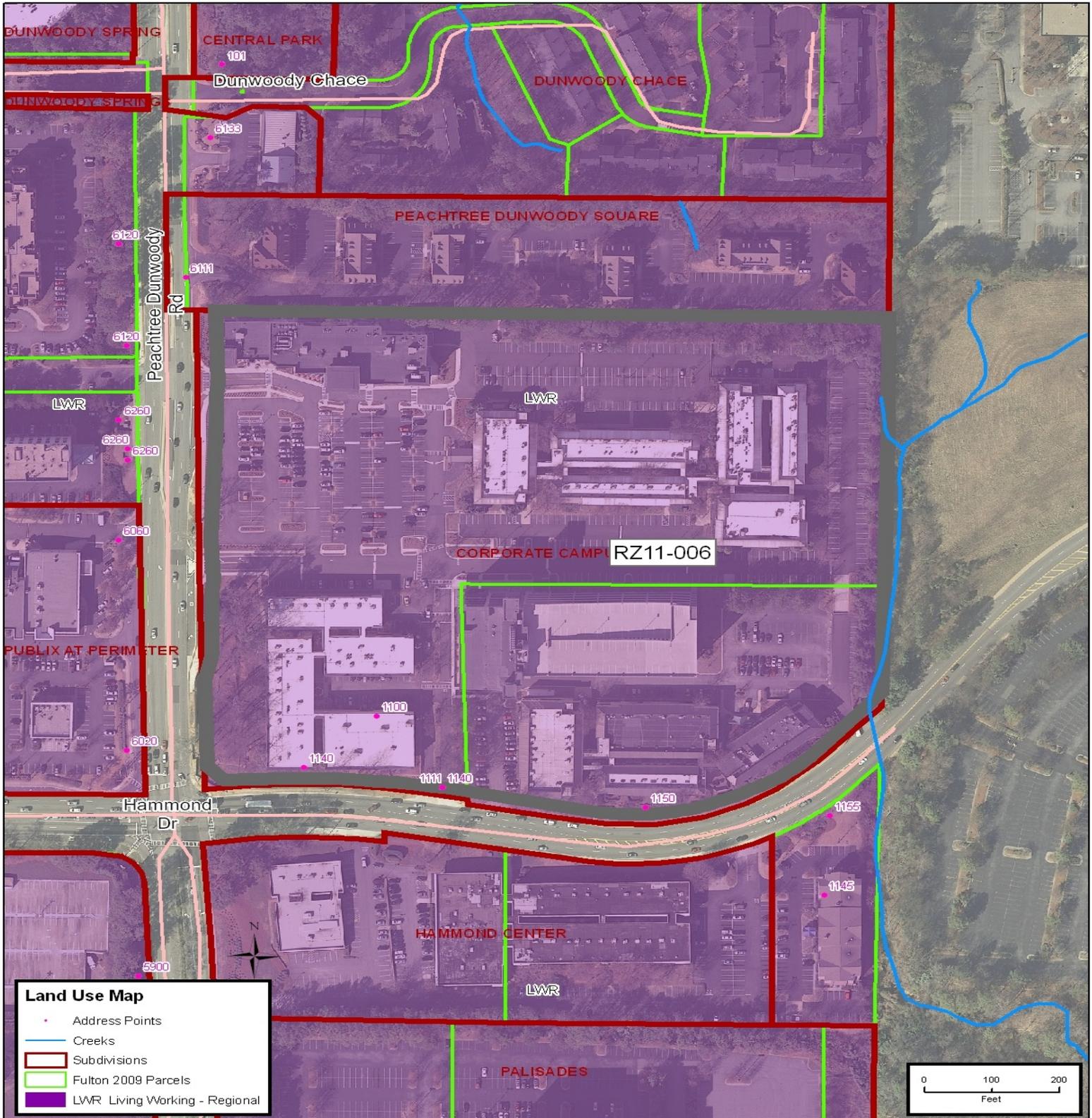
	Requested Zoning	Proposed Use	Land Area (Acres)	Square footage or Number of Units/Rooms	Density (Square footage or Units/Rooms per Acre)
<b>SUBJECT PETITION RZ11-006 U11-002</b>	MIX	Office/Retail/Service Commercial	19.4274	753,000 gsf	38,759.69 sf/ac
		Apartment Complex		345 units	17.76 units/ac
		Hotel		160 rooms	-----

Location in relation to subject property	Zoning	Use	Land Area (Acres)	Square Footage or Number of Units	Density (Square Feet or Units Per Acre)
North	O-I conditional Z81-0151	Peachtree-Dunwoody Square office condominiums - 6111 Peachtree-Dunwoody Road	5.09	48,200 sf	9,470 sf/ac
East	<p style="text-align: center;">DeKalb County</p> <p style="text-align: center;">High Street Project</p> <p style="text-align: center;">Northwest corner of Hammond Drive and Perimeter Center Parkway</p> <p style="text-align: center;">Brief Description of Project: Mixed use project consisting of 1,500 apartments, 1,500 condominiums, 400 hotel keys, a net increase of 138,556 SF of office space (an existing 261,444 SF office space that will be torn down to make room for a new 400,000 SF office space). 325,000 SF of retail space and 75,000 SF of restaurant space. Note: 235,000 SF of existing office will remain.</p>				
South	MIX conditional RZ08-014	Hammond Center - 1155 Hammond Drive Office Retail Restaurant Hotel Residential Units	7.22	20,000 50,000 20,000 120 398	2,770.08 6,925.21 2,770.08 --- 55.12
South	MIX conditional RZ06-021	Palisades - 5901-5909 Peachtree-Dunwoody Road Office Commercial Residential units Hotel	22.96	1,151,200 50,000 210 200	50,139.37 2,177.70 9.15 ---
Southwest	MIX, conditional Z05-0079 (DRI)	Concourse - Concourse Parkway & Peachtree-Dunwoody Road - Retail Office Residential	11.28	70,000 sf 181,913 sf 650 units	6,205.67 sf/acre 16,127.04 sf/acre 57.62 units/acre
West	C-1 conditional Z96-0119	Publix Shopping Center - 6010 Peachtree-Dunwoody Road - Retail/Office	9.29	99,628 sf	10,724.22 sf/acre
West	O-I conditional Z94-0024	Comfort Suites Hotel - 6110 Peachtree-Dunwoody Road	1.61	123 rooms	76.40 rm/ac
West	O-I conditional Z85-0032	Hilton Suites Hotel - 6120 Peachtree-Dunwoody Road	4.25	224 rooms	52.71 rm/ac



# Future Land Use Map

## 1140 & 1150 Hammond Drive



Photographs



Subject Property



Subject Property



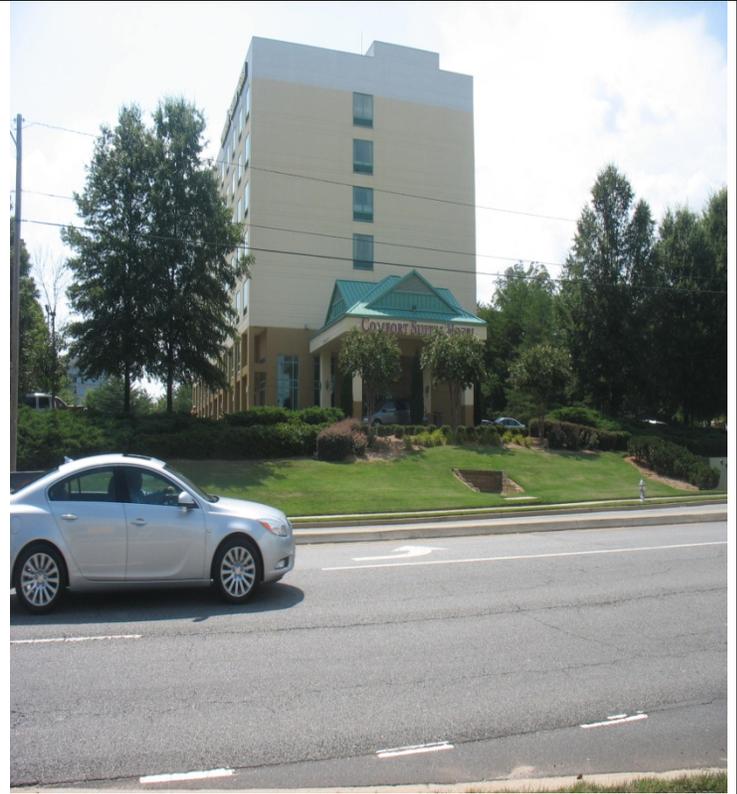
Subject Property



Subject Property



**North: Peachtree Dunwoody Square Office Condominiums -**



**Looking West: Comfort Suites Hotel - 6110 Peachtree-Dunwoody Road**



**Looking South West: Publix Shopping Center - 6010 Peachtree-Dunwoody Road**



**South: Hammond Center 1155 Hammond Drive**



**South: Hammond Center 1155 Hammond Drive**

**South and East: Perimeter Center - corner of Peachtree Dunwoody Road and Hammond Drive**



**Looking East down Hammond Dr. into the City of Dunwoody**

**Offices to be replaced by Apartments**



Offices to be replaced by Apartments



Sign



Sign

## SITE PLAN ANALYSIS

The site plan provided by the applicant indicates the following site coverage:

- Approximately 211,565 s.f. (25%) of existing and proposed buildings' footprints
- Approximately 33,850 s.f. (4%) of other existing and proposed hardscape
- Approximately 469,673 s.f. (55.5%) of existing and proposed parking surface
- Approximately 715,000 s.f. (84.5%) of total existing and proposed impervious surface
- Approximately 131,258 s.f. (15.5%) of the proposed Open Space would be Green Space

The site plan provided by the applicant also indicates the following:

Minimum front yard: 20 feet  
 Minimum side corner yard (Hammond Drive): 12 feet  
 Minimum side yard (east and west): 10 feet  
 Minimum rear yard: 10 feet

## PARKING AND TRAFFIC IMPACT ANALYSIS

A traffic impact study for the original proposal was submitted both to the Georgia Regional Transportation Authority (GRTA) and to the Sandy Springs Public Works Department for review due to the project's Development of Regional Impact (DRI) status. A revised traffic plan is not required for this rezoning proposal. See attached GRTA Notice of Decision and Conditions dated March 25, 2005. Also, see the attached Perimeter Town Center Multi-Family Apartment Trip Generation Memorandum dated received August 11, 2011 by the Department of Community Development.

Based on Section 18.2.2., *Shared Parking* and Section 18.2.3, *Reduction of the Basic Requirement* (for proximity to MARTA reduce minimum by 10%) the entire corporate campus site is required to have a minimum of 1,463 parking spaces to serve the proposed development. According to the site plan, the applicant would provide a total amount of 1,757 spaces. The applicant would provide the required parking spaces in surface parking areas and parking decks.

## LANDSCAPE PLAN ANALYSIS

The subject property is located within the Perimeter Community Improvement Design District (PCID). The site plan shows streetscape consistent with Section 12B(1).5, *Design Standards and Enforcement of Design Standards*, which includes street trees, sidewalks, pedestrian lighting, etc. along the Peachtree-Dunwoody Road and Hammond Drive frontages of the subject property.

The MIX (Mixed Use District) zoning classification requires that 20% of the overall site be maintained as common outdoor area to be maintained by the property owner(s). The site plan indicates the aforementioned open space requirement would be met and it indicates that 15.5 % of the open space would be landscaping/green space.

## ENVIRONMENTAL SITE ANALYSIS

The Environmental Site Analysis Report is sufficient and satisfies the requirements of the Sandy Springs Zoning Ordinance. The site does contain a stream located under the southeastern corner of the lot for a distance of about 300 feet. The site does not contain any known wetlands, steep slopes, sensitive plants and/or protected animal species, or archaeological/historical sites. The site is not located within any floodplains. The report, in its entirety, is within the case file as a matter of record.

## DEPARTMENT COMMENTS

The staff held a Focus Meeting on July 6, 2011 at which the following departmental comments were provided:

BUILDING AND DEVELOPMENT DIVISION	Sandy Springs Engineering Plan Reviewer	<ul style="list-style-type: none"> <li>There are no development requirements that need to be addressed at this time.</li> </ul>
	Sandy Springs Building Plan Reviewer	<ul style="list-style-type: none"> <li>There are no building requirements that need to be addressed at this time.</li> </ul>
	Sandy Springs Landscape Architect/Arborist	<ul style="list-style-type: none"> <li>There are no landscaping requirements that need to be addressed at this time.</li> </ul>
FIRE DEPT.	Sandy Springs Fire Protection Engineer	<ul style="list-style-type: none"> <li>Refer to 120-3-3, "503.1.1 Buildings and facilities. Approved fire apparatus access roads shall be provided for every facility, building or portion of a building hereafter constructed or moved into or within the jurisdiction as determined by the local Fire Chief and/or Fire Code Official of the responding fire department or agency. The fire apparatus access road shall comply with the requirements of this section and shall extend to within 150 feet (45.7 m) of all portions of the facility or any portion of the exterior wall of the first story of the building as measured by an approved route around the exterior of the building or facility."</li> <li>Buildings shall be separated per IBC 602.</li> <li>Fire lanes shall be provided per the Sandy Springs Ordinance.</li> <li>Should the community be gated, a KNOX system will be required.</li> <li>There will have to be a fire hydrant or hydrants within 500 feet of the most remote portion of the building that can supply the required fire flow. The fire flow will be calculated when the site plan is submitted.</li> </ul>
TRANSPORTATION	Sandy Springs Department of Transportation, Planning Engineer	<ul style="list-style-type: none"> <li>To obtain development permits the final engineered site plan must conform to all development regulations at time of submittal, other applicable sections of the ordinance, and the COSS standard detail design for divided entrance.</li> <li>Public Works anticipates that the proposed rezoning, as indicated by the site plan, will cause an excessively burdensome use of existing streets or transportation facilities.</li> </ul>
	Georgia Department of Transportation	<ul style="list-style-type: none"> <li>The subject area is located within the limits of project <b>CR 262/HAMMOND DRIVE FROM DEKALB COUNTY LINE TO SR 400 , P.I.#753300, CM000-7533-00(000), FULTON COUNTY</b> (see attached letter).</li> </ul>

## **PUBLIC INVOLVEMENT**

### Required Meetings

The applicant attended the following required meetings:

- Community Zoning Information Meeting held June 28, 2011 at the Sandy Springs City Hall
- Community/Developer Resolution Meeting held July 28, 2011 at the Sandy Springs City Hall

### Public Comments

There has been concern over the following:

- Traffic impact
- Maximization of Green Space
- Lack of amenities for children and utilization of Open Space
- Ability to convert to Condominiums

### Notice Requirements

The petition was advertised in the Daily Report on August 11, 2011 and August 25, 2011. The applicant has posted a sign issued by the Department of Community Development along the frontages of Peachtree-Dunwoody Road and Hammond Drive on July 8, 2011.

### Public Participation Plan and Report

The applicant will meet the Public Participation Plan requirements. The applicant will be required to submit the Public Participation Report seven (7) days prior to the Mayor and City Council Hearing on September 20, 2011. The Public Participation Report must be submitted on or before September 13, 2011.

## **ZONING IMPACT ANALYSIS**

Per Article 28.4.1, *Zoning Impact Analysis by the Planning Commission and the Department*, the staff shall make a written record of its investigation and recommendation on each rezoning petition with respect to the following factors:

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A. *Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.*

Finding: The staff is of the opinion that the proposal is suitable in view of the existing density and character of the surrounding area, which includes similar mixed-use projects with DRI status.

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B. *Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.*

Finding: The staff is of the opinion that the proposal will not adversely affect the existing use and usability of adjacent property.

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C. *Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned.*

Finding: The staff is of the opinion that the property has a reasonable economic use as currently zoned.

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D. *Whether the zoning proposal will result in a use which will or could cause an excessive burdensome use of existing streets, transportation facilities, utilities, or schools.*

**Finding:** The staff does anticipate a significant impact on the surrounding transportations system. See attached GRTA Notice of Decision and Conditions dated March 25, 2005. Also, see the attached Perimeter Town Center Multi-Family Apartment Trip Generation Memorandum dated received August 11, 2011 by the Department of Community Development.

E. *Whether the zoning proposal is in conformity with the policies and intent of the land use plan.*

**Finding:** The staff is of the opinion that the proposal is mostly consistent with the Future Land Use Map, which designates the property as Living-Working Regional (LWR). The proposal lends itself to the overall intent of the LWR designated areas that are intended for high intensity/density mixed land uses (residential and commercial) and intended for major transportation areas and areas having significant concentrations of employment. The subject property is located in the Perimeter Community Improvement District (PCID), which is composed of high-density residential, regional office, and commercial developments that would support such a use. The applicant is proposing to allow for uses consistent with MIX zoning.

The LWR land use designation recommends: Over 20 units/acre of residential density and over 25,000 sf/acre of business density, a case-by-case square foot/tenant limitation. The applicant is proposing a business density of 38,759.69 sf/acre. The applicant is proposing a residential density of 17.76 units/acre.

The LWR land use designation recommends: 20% of Open/Green Space (15% must be Green Space and the remaining 5% may be Open or Green Space). The site plan provided by the applicant indicates the proposed Open Space to be 20% (169, 000 s.f.). 15.5% (131,258 s.f.) of the proposed Open Space would be Green Space.

The subject site is located in Living Working Node 6: Perimeter Community Improvement District (PCID). The vision, guidelines and policies of Node 6 are as follows:

Vision:

1. Parcels around the Dunwoody, Sandy Springs and Medical Center MARTA transit stations should have high-density developments incorporating a mix of land uses including residential, commercial and institutional uses.
2. New developments should incorporate internal roads creating a network of secondary roads that distribute the vehicular traffic to include inter-parcel access whenever possible.
3. New development should incorporate open and green space features such as plazas, parks and similar features.
4. Preserve single-family neighborhoods surrounding the PCID's residential core.
5. New residential development should encourage home ownership in balance with rental housing.
6. Encourage the inclusion of institutions and schools in the area, in order to create a true urban center.

Guidelines and Policies:

1. Residential density should be above 20 units per acre.
2. Commercial and office densities should be above 25,000 square feet per acre.
3. Building heights should not be limited in this area.
4. At least 20% of a site shall be maintained as open space.
5. The densities and heights referenced as appropriate for this area shall be reduced when there are conflicts with existing single-family neighborhoods.
6. Density and/or height bonuses, beyond the recommendations of the Comprehensive Plan, may be approved by the Mayor and City Council for the development or redevelopment of assembled properties consisting of a minimum of five (5) or more acres. The approval of bonuses will be based on the merits of the project relative to whether it provides desirable attributes that meet or exceed the goals and objective of the Comprehensive Plan. Such goals may include, but not be limited to the following:
7. Providing significant green space or open space that exceeds the minimums established in Table 1.5.
8. Providing shared parking to other properties in the area or encouraging/requiring the use of alternative transportation options. This may include, but not be limited to, providing direct or planned access to MARTA services.

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*F. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal.*

Finding: The staff is of the opinion that there are no existing or changing conditions affecting the use and development of the property, which give supporting grounds for approval or denial of the applicant's proposal.

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*G. Whether the zoning proposal will permit a use which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.*

Finding: The staff is of the opinion that the proposal will not permit a use, which can be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.

### **USE PERMIT CONSIDERATIONS**

Under Z08-032/U08-014/U08-015/CV08-027 and subsequently under U09-003 and ZM09-002/CV09-002 the owner/developer was generally approved for: 1) A specific site plan; 2) A seven (7) story commercial building (Goddard School); 3) A thirty (30) story Senior Living Center having 479 units and 92 skilled & assisted living beds; and 4) An eleven (11) story, 160 room Hotel .

Currently, under RZ11-006/U11-002, the applicant is now requesting to: 1) Revise the approved site plan; 2) Maintain the existing seven (7) story commercial building (Goddard School)(U11-002#1); 3) **Abandon** the Use Permits for the thirty (30) story Senior Living Center having 479 units and 92 skilled & assisted living beds **for** a Use Permit to allow up to a six (6) story Apartment Complex having 345 units and a parking garage (U11-002#2); and 4) Keep the Use Permit approval for the eleven (11) story, 160 room Hotel (U11-002#3).

Per Article 19.2.4, *Use Permit Considerations*, the City Council shall consider each of the following:

*A. Whether the proposed use is consistent with the Comprehensive Land Use Plan and/or Economic Development Revitalization plans adopted by the City Council;*

**Finding:** The staff is of the opinion that the proposal is mostly consistent with the Future Land Use Map, which designates the property as Living-Working Regional (LWR). The proposal lends itself to the overall intent of the LWR designated areas that are intended for high intensity/density mixed land uses (residential and commercial) and intended for major transportation areas and areas having significant concentrations of employment. The subject property is located in the Perimeter Community Improvement District (PCID), which is composed of high-density residential, regional office, and commercial developments that would support such a use. The applicant is proposing to allow for uses consistent with MIX zoning.

The subject site is located in Living Working Node 6: Perimeter Community Improvement District (PCID). The vision, guidelines and policies of Node 6 include the following:

- No limitation on building height.
- Parcels around the Dunwoody, Sandy Springs and Medical Center MARTA transit stations should have high-density developments incorporating a mix of land uses including residential, commercial and institutional uses.
- New developments should incorporate internal roads creating a network of secondary roads that distribute the vehicular traffic to include inter-parcel access whenever possible.
- New development should incorporate open and green space features such as plazas, parks and similar features.
- New residential development should encourage home ownership in balance with rental housing.
- Encourage the inclusion of institutions and schools in the area, in order to create a true urban center.

*B. Compatibility with land uses and zoning districts in the vicinity of the property for which the Use Permit is proposed;*

**Finding:** The staff is of the opinion that the proposed use and height are compatible with the land uses and zoning districts in the vicinity of the property. The property is located within a corridor that features similar developments and is located in the Perimeter Community Improvement District (PCID), which also promotes a mix of uses at higher densities and heights.

*C. Whether the proposed use may violate local, state and/or federal statutes, ordinances or regulations governing land development;*

**Finding:** The staff is of the opinion that the proposed height would not violate any local, state, and/or federal statutes, ordinances, or regulations. The property is located within a corridor that features similar developments and is located in the Perimeter Community Improvement District (PCID), which also promotes higher heights.

*D. The effect of the proposed use on traffic flow, vehicular and pedestrian, along adjoining streets;*

**Finding:** The staff is of the opinion that the overall project will have an impact on vehicular and pedestrian traffic flow along the property frontages. See attached GRTA Notice of Decision and Conditions dated March 25, 2005. Also, see the attached Perimeter Town Center Multi-Family Apartment Trip Generation Memorandum dated received August 11, 2011 by the Department of Community Development.

*E. The location and number of off-street parking spaces;*

**Finding:** The applicant has provided sufficient parking for the proposal consistent with the requirements of the Zoning Ordinance.

*F. The amount and location of open space;*

Finding: The overall project has provided for streetscape consistent with the PCID standards including sidewalks, street trees, and decorative lighting.

The site plan provided by the applicant indicates the proposed Open Space to be 20% (169, 000 s.f.). 15.5% (131,258 s.f.) of the proposed Open Space would be Green Space.

*G. Protective screening;*

Finding: The overall project has provided the required landscape strips and buffers, except along Peachtree-Dunwoody Road where the applicant has received a concurrent variance to reduce the required twenty (20) foot landscape strip to ten (10) feet around an existing retail building (CV07-028).

*H. Hours and manner of operation;*

Finding: The applicant has indicated the mixed use development would operate in a manner consistent with several other developments in the area.

*I. Outdoor lighting; and*

Finding: The overall project has provided for pedestrian lighting as required under the PCID standards.

*J. Ingress and egress to the property.*

Finding: The overall project intends the property to be accessed by four (4) curb cuts, two (2) along Hammond Drive and two (2) along Peachtree-Dunwoody Road.

## CONCLUSION TO FINDINGS

It is the opinion of the staff that the proposal is in conformity with the intent of the Comprehensive Plan Policies and the Future Land Use Map. Therefore, based on these reasons, the staff recommends **APPROVAL** **CONDITIONAL** of this petition.

## STAFF RECOMMENDED CONDITIONS

Should the Mayor and City Council decide to approve the petition, the staff recommends that the approval be subject to the following conditions. The applicant's agreement to these conditions would not change staff recommendations. These conditions shall prevail unless otherwise stipulated by the Mayor and City Council.

1. To the owner's agreement to restrict the use of the subject property as follows:
  - a. Retail, service commercial, and/or office and associated accessory uses, including all exterior food and beverage service areas, at a maximum density of 38,759.69 gross square feet per acre or 753,000 gross square feet, whichever is less, but excluding convenience stores with gas pumps, commercial amusements, and freestanding fast food restaurants, except for bagel, pastry and coffee shops, and ice cream parlors.
  - b. To the existing seven (7) story commercial building (Goddard School)(U11-002#1), to a six (6) story Multi-family Complex having 345 units and a parking garage (U11-002#2), and to an eleven (11) story, 160 room Hotel (U11-002#3).
  - c. To a maximum 160-room hotel.
  - d. To a maximum 345 unit Multi-family Complex
  
2. To the owners agreement to abide by the following:
  - a. To the Rezoning Site Plan submitted to the Department of Community Development dated received August 11, 2011. Said site plan is conceptual only and must meet or exceed the requirements of the Zoning Ordinance and these conditions prior to the approval of a Land Disturbance Permit. Unless otherwise noted herein, compliance with all conditions shall be in place prior to the issuance of a Certificate of Occupancy.
  
3. To the owner's agreement to provide the following site development standards:
  - a. The minimum design standards are:
    - Minimum front yard (Peachtree Dunwoody Road): 20 feet
    - Minimum side corner yard (Hammond Drive): 12 feet
    - Minimum side yard: 10 feet
    - Minimum rear yard: 10 feet
    - Minimum internal setbacks, separations, landscaping and buffering between uses is as shown on the site plan which shall comply with the local governing building codes.
  - b. The owner/developer shall dedicate fifty-five (55) feet of right-of-way from centerline of Peachtree-Dunwoody Road along the entire property frontage or ten and one-half (10.5) feet from back of curb, whichever is greater, to the City of Sandy Springs.

- c. The owner/ developer shall dedicate sufficient right-of-way from centerline of Hammond Drive along the entire property frontage as depicted on the "Additional Right of Way Exhibit" in the Appendix of the *Hammond Drive Corridor Report, from Peachtree-Dunwoody Road to Perimeter Center Parkway*, prepared for the Fulton County CID, DeKalb County CID, & Perimeter CID, by Kimley-Horn and Associates, Inc. on January 2008, such that the ultimate right-of-way shall be 135 feet in width. The aforementioned Additional Right of Way Exhibit is attached and dated received August 5, 2011 by the Department of Community Development.
- d. The new proposed curb cut on Hammond Drive, that is proposed to be approximately 680 feet east of the centerline of Peachtree-Dunwoody Rd, shall be designed to have exit lanes configured to have a right, straight thru lane, and left turn lanes which shall be subject to the approval of the Public Works Department at the time of LDP. The exit lanes shall not have bisecting entry points to those exit and entry lanes a minimum of approximately 130 feet from the proposed curb line of Hammond Drive. Until a traffic signal is operational at this curb cut only one exit lane would be functional. No gates shall be within the entrance and exit lanes off of this Hammond Drive curb cut less than 300 lane feet from the northerly curb of Hammond Drive.
- e. Traffic within the property shall be able to circulate through the existing and proposed parking garages and exit on to Hammond Drive subject to the approval of the Public Works Department.
- f. By the owner/ developer, Hammond Drive shall be milled, resurfaced, and pavement markings placed stripped to points acceptable to the Public Works Department to enable a 200 foot long eastbound left turn lane into the new curb cut in accordance with the Rezoning Site Plan dated received August 11, 2011 by the Department of Community Development or as designated by the Public Works Department.
- g. An 8 inch wide by 6 inch tall concrete header curb, painted with traffic yellow, shall be placed by the owner/ developer along the centerline of Hammond from Peachtree Dunwoody Road to the proposed new traffic signal/ driveway as directed by the Public Works Department.
- h. The most westerly existing curb cut off of Hammond Dr shall be made into a right turn in and right turn out driveway at time of receiving a LDP in accordance with the Rezoning Site Plan dated received August 11, 2011 by the Department of Community Development.
- i. The owner/ developer shall provide intersection improvements and signal upgrades as may be required by the Public Works Department for the roads along the frontages of the subject.
- j. Prior to issuance of an LDP for the proposed Hotel, permanent easements shall be recorded allowing for future interparcel access along the entire boundary of the adjacent properties to the north and east. Prior to issuance of an LDP for the proposed Hotel, the owner/ developer shall attempt to provide interparcel access with the adjacent property to the north; however, should the owner/ developer not come to an agreement on interparcel access at that time, the owner/ developer shall provide documentation of such. Prior to issuance of an LDP for the

proposed Hotel, interparcel access to the east shall occur considering any future infrastructure construction in DeKalb/Dunwoody.

- k. At the existing most easterly curb cut this driveway will be allowed to operate as a right turn in and out provided it is reconstructed as directed by the Public Works Department. This driveway will be permanently closed after 24 months of the issuance of the LDP for any portion of this project or as directed by the Public Works Department.
- l. Prior to the issuance of a Certificate of Occupancy for the proposed Multi-family complex, a traffic signal study, as designated by the Public Works Department, will be conducted by the owner for proposed traffic signal at the most northerly curb cut on Peachtree Dunwoody Road. This will also include a traffic signal construction design plan that will be approved by the Public Works Department.
- m. A traffic signal study, as designated by the Public Works Department, will be conducted by the owner for proposed traffic signal at the proposed curb cut on Hammond Drive. This will also include a traffic signal construction design plan that will be approved by the Public Works Department.
- n. The property owner shall install and/or escrow funds for Traffic signals at the most northerly curb cut on Peachtree Dunwoody Road and at the proposed curb cut on Hammond Drive, as determined and approved by the Public Works Department. The traffic signal hardware and software shall be similar to the newest traffic signals installed within the Perimeter CID District.
- o. No more than two (2) curb cuts on Peachtree-Dunwoody Road; one to align with existing median break and the other restricted to right-in/right-out. Said curb cut location and design shall be subject to the approval of the Public Works Department at time of LDP.
- p. No more than three (3) curb cuts on Hammond Drive. Said curb cut location and design shall be subject to the approval of the Public Works Department at time of LDP.
- q. The owner/developer shall install a westbound right turn lane from Hammond Drive onto Peachtree-Dunwoody Road. Said improvement shall be installed at such time a new Land Disturbance Permit is approved by the Department of Community Development.
- r. The owner/developer shall follow the Hammond Drive Construction Access Phasing Plan dated received August 11, 2011 by the Department of Community Development or as directed by the Public Works Department.
- s. The parking lanes aisle that exit into the travel lane that would enter or exit the site at the most northerly curb cut on Peachtree Dunwoody Road shall be made right in and right out.
- t. To reduce the required twenty-five foot (25') impervious stream buffer to zero feet (0') and the required fifty foot (50') undisturbed natural stream buffer to five feet (5') to permit an encroachment of 6504 square feet of impervious surface into the twenty-five foot (25')

impervious setback and 16,935 square feet of disturbed pervious and impervious area into the fifty foot (50') undisturbed buffer. (CV08-027)

- u. To delete the required twenty (20) foot landscape strip along the area adjacent to the retail building and existing parking along the west property line as shown on the site plan dated July 22, 2011 (Peachtree-Dunwoody Road frontage) (CV08-027).
- v. To allow for an additional freestanding sign on the Peachtree-Dunwoody Road frontage (CV08-027). Said sign shall be no larger than seventy-two (72) square feet with a maximum height of eight (8) feet.
- w. To allow internal signs throughout the site to be used as directional signage (CV08-027). Said signs shall be no larger than twenty (20) square feet with a maximum height of six (6) feet.
- x. Not less than 20% of the total acreage shall be maintained as common outdoor open space for the use and benefit of the residents. Said common outdoor open space shall be marked by appropriate signage and must be accessible via a road or walking trail to the rest of the development.
- y. Not less than 20% of the site shall be maintained as Open Space of which 15% shall be Green Space.
- z. To allow for two (2) additional freestanding signs on the subject property. Said signs shall have a maximum sign area of thirty-two (32) square feet and a maximum height of eight (8) feet and located along the Hammond Drive frontage, on the most eastern entrance to the development, as shown on sign elevation plan dated February 3, 2009. (CV09-002)
- aa. Pursuant to The Tree Conservation Ordinance, Administrative Standards & Best Management Practices - Landscape Strips, Buffers and Parking (A.4) to allow a permanent structure (retaining wall) within a landscape strip. (V09-012)

**Attachments**

Letter of Intent received June 7, 2011

First Amendment to the application received July 6, 2011

Applicant Zoning Impact Analysis dated received June 7, 2011

Applicant Use Permit Considerations dated June 7, 2011

Rezoning Site Plan(s) received June 7, 2011 and August 11, 2011

Unit Mix Plans and Renderings dated received July 28, 2011

Letter GDOT received March 23, 2009

GRTA Notice of Decision dated March 25, 2005

Letter City of Atlanta Dept. of Watershed Management received July 29, 2011

Hammond Drive Construction Access Phasing Plan dated received August 11, 2011

Additional Right of Way Exhibit dated received August 5, 2011

Perimeter Town Center Multi-Family Apartment Trip Generation Memorandum received August 11, 2011

Letter Fulton County Dept. of Health and Wellness received August 9, 2011

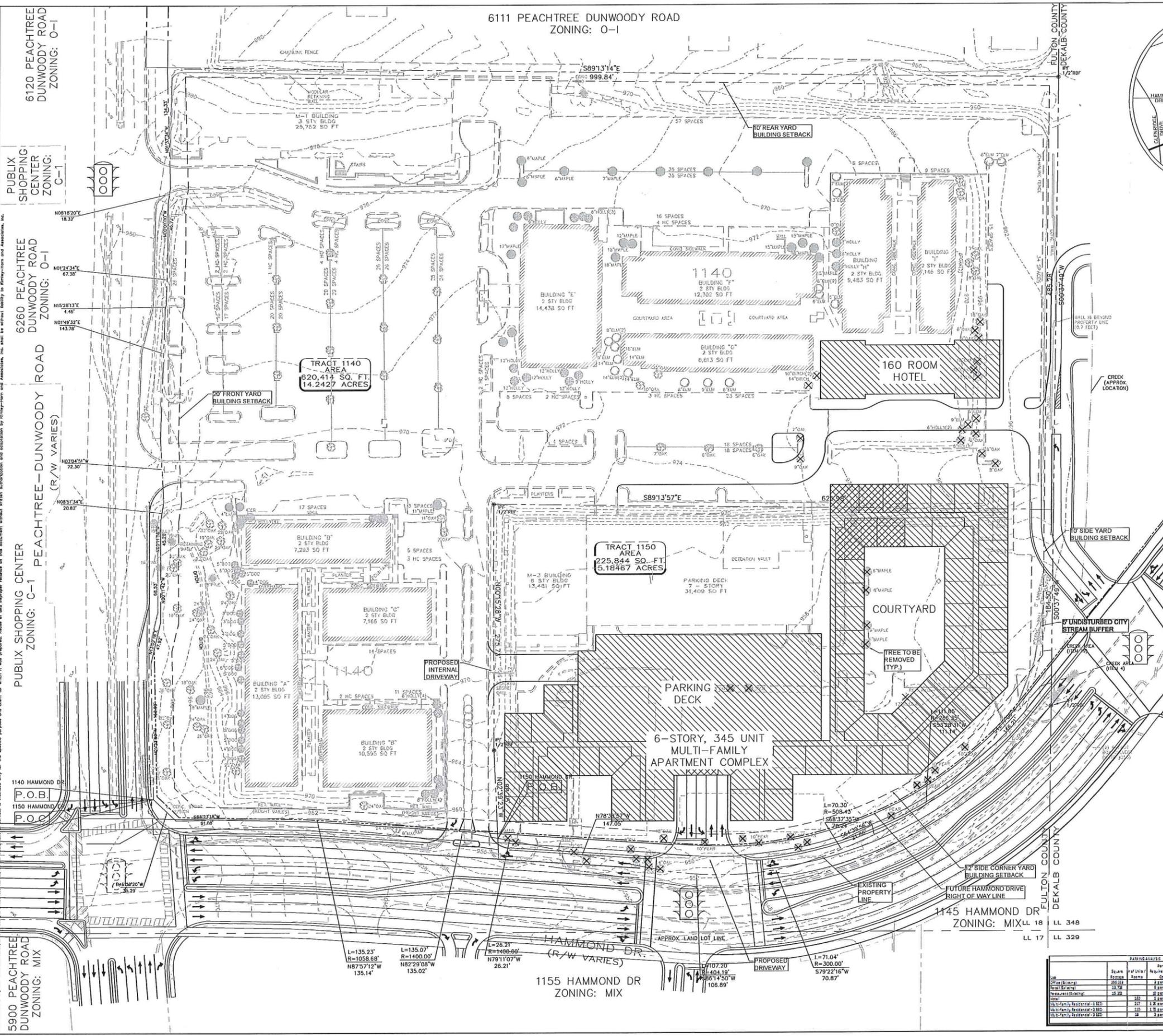
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AUG 11 2011

12711-006

City of Sandy Springs  
Community Development

Plotted By: Warfield, Casey August 10, 2011 DB 09:23:30m K:\VMT\_Marketing\Ackerman\Perimeter\_Town\_Center\CA0012011-08-10\_Regoning\_Site\_Plan.dwg  
This document, together with the conceptual site plan and other information, is intended only for the specific purpose and client for which it was prepared. Please do not retransmit, reproduce, or use this information for any other purpose without the written authorization and approval of Kimley-Horn and Associates, Inc. and its affiliates.



**LEGEND:**

- EXISTING PROPERTY LINE
- FUTURE PROPOSED R-O-W LINE
- BUILDING SETBACK LINE
- EXISTING STREAM CENTERLINE
- EXISTING STREAM TOP OF BANK
- EXISTING STREAM BUFFER LINE
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR
- EXISTING CURB & GUTTER
- EXISTING FENCE

**DEVELOPMENT SUMMARY CHART:**

PROPERTY ACREAGE:		
1140 HAMMOND DRIVE TRACT:	14.24 ACRES	
1150 HAMMOND DRIVE TRACT:	5.18 ACRES	
CURRENT OVERALL ACREAGE:	19.42 ACRES	

<b>BUILDINGS:</b>	SQUARE FOOTAGE:	SITE COVERAGE:
EXISTING:	423,000 SF	15.3%
PROPOSED HOTEL:	120,000 SF	1.4%
(10 STORY MAX, 160 ROOMS)		
PROPOSED APARTMENTS:	430,000 SF	6.6%
(6 STORY, 345 UNITS)		

<b>PARKING SPACES:</b>	QUANTITY:	SITE COVERAGE:
SURFACE PARKING:	602	48.0%
EXISTING DECK:	624	3.7%
PROPOSED DECK:	531	3.8%
TOTAL PROVIDED:	1,757	55.5%

<b>TOTAL IMPERVIOUS SURFACE:</b>	SQUARE FOOTAGE:	SITE COVERAGE:
	715,00 SF	64.5%
<b>LANDSCAPING / GREEN SPACE:</b>	SQUARE FOOTAGE:	SITE COVERAGE:
	131,258 SF	15.5%

<b>FLOOD PLAIN:</b>	SQUARE FOOTAGE:	SITE COVERAGE:
	0	0.0%
<b>OPEN SPACE:</b>	SQUARE FOOTAGE:	SITE COVERAGE:
	169,000 SF	20.0%

**SETBACKS:**

- FRONT YARD (PEACHTREE DUNWOODY RD): 20 FT
- SIDE CORNER YARD (HAMMOND DRIVE): 12 FT
- SIDE YARD: 10 FT
- REAR YARD: 10 FT

**POSTED SPEED LIMITS:**

- PEACHTREE DUNWOODY RD: 35 MPH
- HAMMOND DRIVE: 35 MPH

**MAJOR ELECTRICAL / PETROLEUM TRANSMISSION LINES:** NONE

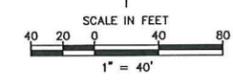
**STORMWATER MANAGEMENT FACILITIES:** THERE IS AN EXISTING STORMWATER MANAGEMENT VAULT BENEATH THE 7-STORY PARKING DECK.

**WETLANDS:** NONE

**FEMA FLOOD ZONE:** X

**DOMESTIC WATER PROVIDER:** CITY OF ATLANTA (12" LINE ALONG PEACHTREE DUNWOODY ROAD, 6" LINE ALONG HAMMOND DRIVE)

**SANITARY SEWER PROVIDER:** FULTON COUNTY (8" MAIN ALONG PEACHTREE DUNWOODY ROAD & HAMMOND DRIVE)



Category	PARKING ANALYSIS		SHARED PARKING ANALYSIS	
	Required	Provided	Required	Provided
Office (per sq ft)	100	100	100	100
Hotel (per room)	100	100	100	100
Apartment (per unit)	100	100	100	100
<b>TOTAL</b>	<b>1,757</b>	<b>1,757</b>	<b>1,757</b>	<b>1,757</b>

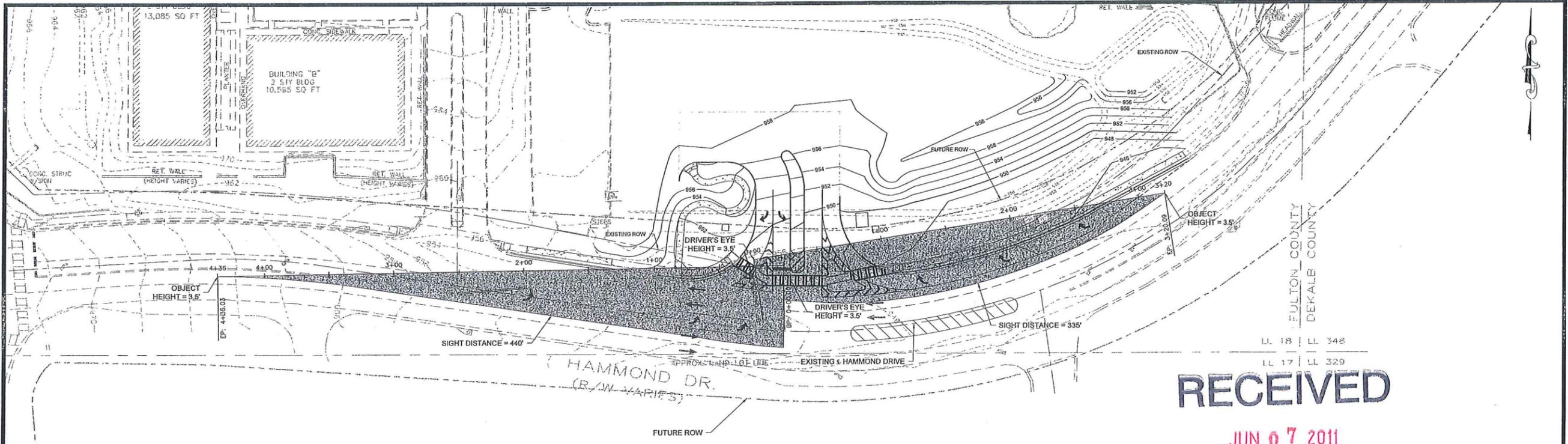
**Kimley-Horn and Associates, Inc.**  
© 2011 KIMLEY-HORN AND ASSOCIATES, INC.  
877 W. PEACHTREE STREET, NW, THE BLDG., SUITE 600, ATLANTA, GA 30308  
PHONE: 404-881-4333 FAX: 404-881-4334  
WWW.KIMLEY-HORN.COM

**RAVIN PARTNERS**  
227 W. TRADE STREET, SUITE 900  
CHARLOTTE, NC 28202  
PHONE: (704) 676-1588

**PERIMETER TOWN CENTER**  
**REZONING SITE PLAN**

SHEET NUMBER 1 of 1

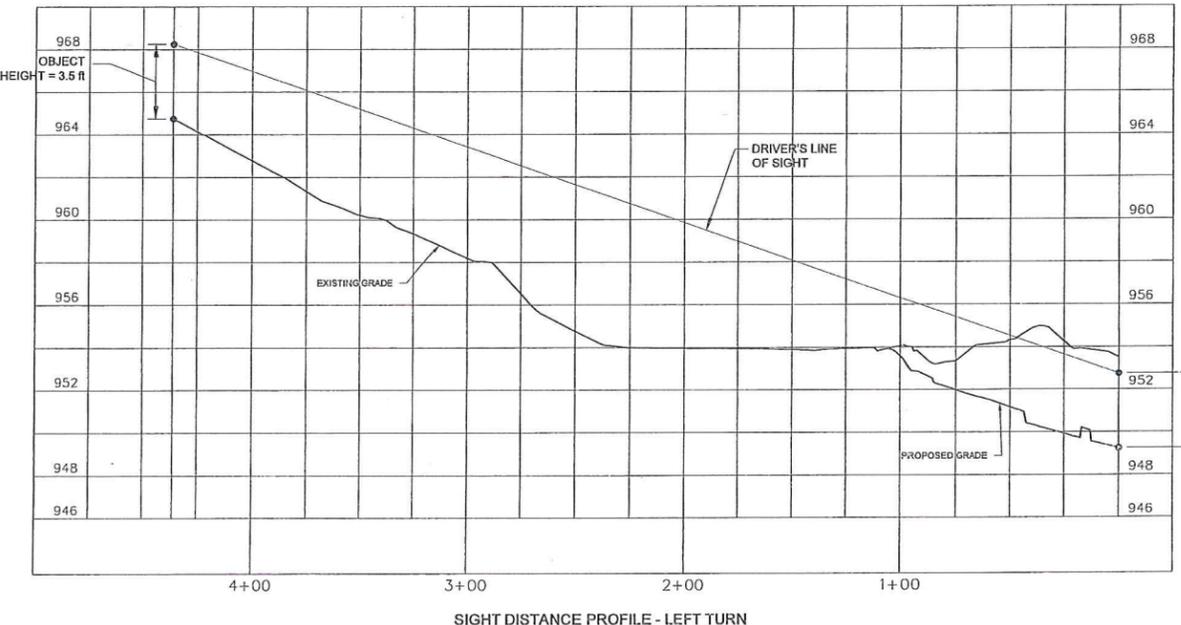
Drawing name: \\atlpc01\data\Project\ATL\_Civil\019018000\_Hammond Drive Intersection\CADD\CONSTR\019018000\_C-12-SIGHT DISTANCE PROF-EXIST.dwg SD-EXIST by: casey.worfield Sep 02, 2009 12:35pm



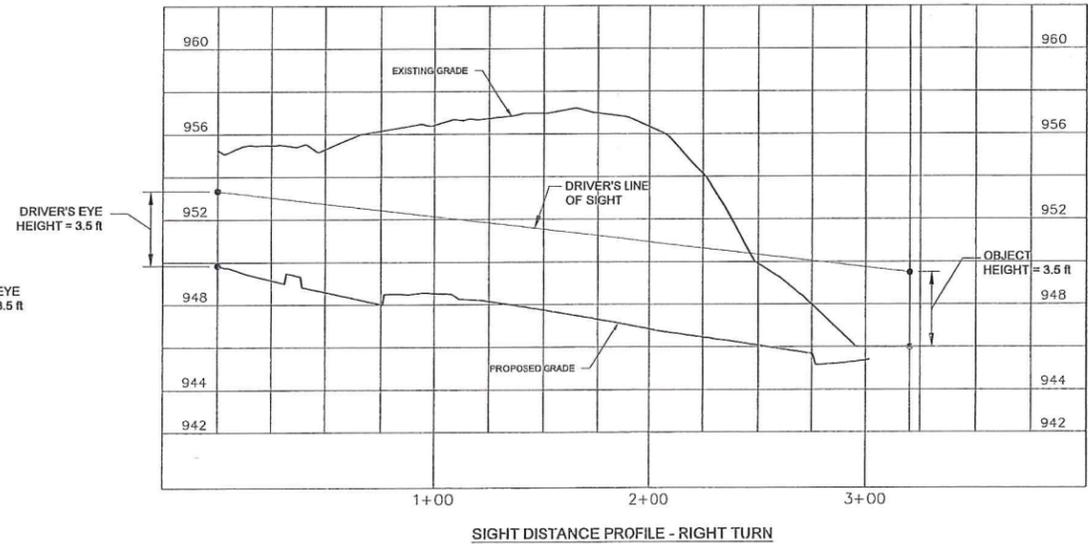
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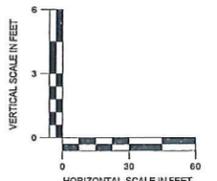
SIGHT DISTANCE PROFILE - LEFT TURN



SIGHT DISTANCE PROFILE - RIGHT TURN

R211-006  
U11-002

**NOTE**  
ALL SIGHT DISTANCE CALCULATIONS TAKEN FROM THE ASHTO "POLICY ON GEOMETRIC DESIGN OF HIGHWAYS AND STREETS", FIFTH EDITION, 2004 USING A DESIGN SPEED OF 30 MPH.



2	REVISED FOR CITY OF SANDY SPRINGS COMMENTS	9/7/2009	MCW	LHF
1	REVISED FOR CITY OF SANDY SPRINGS COMMENTS	1/21/2009	MCW	LHF
REV. NO.	REVISION	DATE	DRAWN BY	CHECKED BY

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PREPARED BY THE OFFICE OF:

**Kimley-Horn and Associates, Inc.**  
3169 HOLCOMB BRIDGE ROAD SUITE 600 - NORCROSS, GEORGIA 30071-1367  
PHONE: (770) 825-0744 FAX: (770) 825-0074

CLIENT: **CORPORATE CAMPUS, L.L.C.**  
10 GLENLAKE PKWY SUITE 1000, ATLANTA, GA 30328

SHEET TITLE: **SIGHT DISTANCE PLAN / PROFILE - PROPOSED**

PROJ. SEC: **HAMMOND DRIVE - CORPORATE CAMPUS INTERSECTION**

1150 HAMMOND DRIVE  
LAND LOT 18 - 17th DISTRICT  
CITY OF SANDY SPRINGS, GEORGIA

DATE: 04 - 27 - 2009 JOB NUMBER: 019018000 SHEET NUMBER: C-12 of 22

TRACT 1140  
AREA  
620,414 SQ. FT.  
14.2427 ACRES

SWCB 6686 (ST-A4)  
TOP=969.90  
IN = 961.89(W)  
IN = 961.85(N)  
OUT=961.75

**UNIT MIX**

- STUDIO -- 49 UNITS = 15%
- STUDIO PLUS -- 69 UNITS = 20%
- 1 BEDROOM -- 84 UNITS = 25%
- 2 BEDROOM -- 110 UNITS = 35%
- 3 BEDROOM -- 18 UNITS = 5%

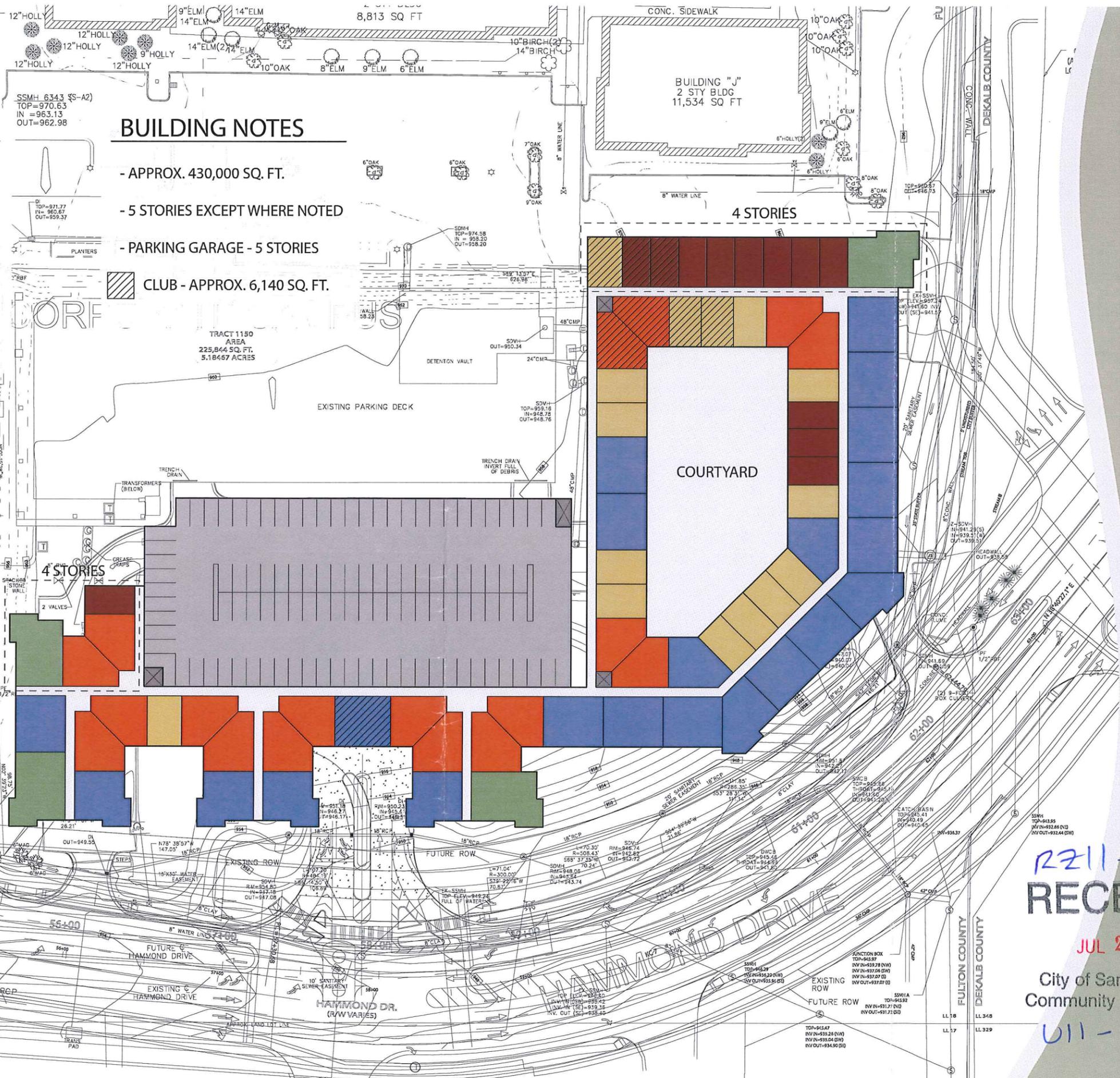
= 330 TOTAL UNITS

**PARKING**

- LEVEL 1 -- 102 SPACES
- LEVEL 2 -- 105 SPACES
- LEVELS 3-5 -- 324 SPACES
- = 531 TOTAL PARKING SPACES
- =60 SHARED SPACES
- =60 RESERVED SPACES
- =411 APPOINTED SPACES

**BUILDING NOTES**

- APPROX. 430,000 SQ. FT.
- 5 STORIES EXCEPT WHERE NOTED
- PARKING GARAGE - 5 STORIES
- CLUB - APPROX. 6,140 SQ. FT.



THE RESIDENCES AT PERIMETER TOWN CENTER  
 SANDY SPRINGS, GA  
 BUILDING DETAILS  
 7 JULY 2011

R211-006

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JUL 28 2011

City of Sandy Springs  
Community Development

011-002



RMM

**HSI**  
**HOUSING  
STUDIO**  
333 WEST FRANK STREET, SUITE 300  
CHARLOTTE, NC 28202  
T: 704.333.7892 F: 704.343.1380

THE RESIDENCES AT PERIMETER TOWN CENTER  
SANDY SPRINGS, GA  
CONCEPTUAL RENDERING  
7 JULY 2011

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City of Sandy Springs  
Community Development

U11-007

LETTER OF INTENT

The property contains approximately 19.4274 acres and is located at the northeast corner of the intersection of Peachtree Dunwoody Road and Hammond Drive (the "Property"). The Property is presently zoned to the MIX Classification.

The Applicant requests a rezoning to the MIX Classification for the development of 753,000 square feet of retail/commercial/service/office and accessory uses together with a 160 room hotel and 335 FOR RENT multi-family residential units. This results in a density of 38,759.69 square feet per acre for the retail/commercial/service/office uses and 17.25 units per acre for the multi-family residential use. Building heights shall range from eleven (11) stories for the hotel, to seven (7) stories for the existing Goddard School and to six (6) stories for the proposed multi-family buildings. Accordingly, the Applicant requests a Use Permit pursuant to Article 19.4.21. to exceed the height limitation in the MIX District. Further, the Applicant requests that the vested Variances noted on Exhibit "A" attached hereto and by reference thereto made a part hereof be carried forward as Vested Concurrent Variances. It is to be noted that the requested 335 FOR RENT multi-family residential units replace the currently approved 479 senior housing independent living units thus effecting a reduction in density from the 24.67 units per acre approved for the senior housing independent living units to the 17.25 units per acre requested for the FOR RENT multi-family residential units. The Comprehensive Land Use Plan Map suggests Live/Work Regional development for the Property and this request complies with this designation. Additionally, with the exception of the request for the FOR RENT multi-family residential units replacing the currently approved senior housing independent living units, the Property is presently zoned the same as being requested under this Application. Therefore, this Application for Rezoning, Use Permit and Vested Concurrent Variances is entirely appropriate and the appropriateness of this Application and the constitutional assertions of the Applicant are more particularly stated and set forth on Exhibit "B" attached hereto and by reference thereto made a part hereof.

RZ11-006

V11-002

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City of Sandy Springs  
Community Development

Now, therefore, the Applicant requests that this Application for Rezoning, Use Permit and Vested Concurrent Variances be approved as submitted in order that the Applicant be able to proceed with the lawful use and development of the Property.

APPLICANT:

Corporate Campus LLC

By: Donald Kristopher Miller  
Donald Kristopher Miller  
Its: Manager

Nathan V. Hendricks III  
Nathan V. Hendricks III  
Attorney for the Applicant

6085 Lake Forrest Drive  
Suite 200  
Atlanta, Georgia 30328  
(404) 255-5161

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Community Development

RZ11-006

U11-002

Exhibit "A"

THE FOLLOWING VARIANCES ARE VESTED AND SHOULD BE NOTED AS SUCH AND CARRIED FORWARD:

1. CV08-027:
  - (a) To reduce the required twenty-five foot (25') impervious stream buffer to zero feet (0') and the required fifty foot (50') undisturbed natural stream buffer to five feet (5') to permit an encroachment of 6504 square feet of impervious surface into the twenty-five foot (25') impervious setback and 16,935 square feet of disturbed pervious and impervious area into the fifty foot (50') undisturbed buffer;
  - (b) To delete the required twenty (20) foot landscape strip along the area adjacent to the retail building and existing parking along the west property line as shown on the site plan dated [INSERT NEW DATE] (Peachtree-Dunwoody Road frontage);
  - (c) To allow for an additional freestanding sign on the Peachtree-Dunwoody Road frontage; and
  - (d) To allow internal signs throughout the site to be used as directional signage.
2. CV09-002: To allow for two (2) additional freestanding signs on the subject property. Said signs shall have a minimum sign area of thirty-two (32) square feet and a maximum height of eight (8) feet and located along Hammond Drive frontage, on the most eastern entrance to the development, as shown on sign elevation plan dated [INSERT NEW DATE].
3. V09-012: Pursuant to The Tree Conservation Ordinance, Administrative Standards & Best Management Practices-Landscape Strips, Buffers and Parking (A.4) to allow a permanent structure (retaining Wall) within a landscape strip.

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City of Sandy Springs  
Community Development

12711-006  
011-002

Exhibit "B"

APPROPRIATENESS OF APPLICATION  
AND  
CONSTITUTIONAL ASSERTIONS

The portions of the Zoning Resolution of the City of Sandy Springs as applied to the subject Property which classify or may classify the Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

The application of the Zoning Resolution of the City of Sandy Springs to the Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary and capricious act by the Sandy Springs City Council without any rational basis therefore constituting an abuse of discretion in violation of Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983 and the Due Process Clause of the Fourteenth Amendment to the Constitution of the United States.

A refusal by the Sandy Springs City Council to rezone the Property as proposed by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any rezoning of the subject Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting the Applicant's utilization of the subject Property would also constitute an arbitrary, capricious and discriminatory act in zoning the Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

Any Rezoning of the Property without the simultaneous approval of the Use Permit and Vested Concurrent Variances noted all as requested would also constitute an arbitrary, capricious and discriminatory act and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

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City of Sandy Springs  
Community Development

RZ11-006

U11-002

FIRST AMENDMENT TO APPLICATION FOR REZONING  
AND USE PERMIT

IN RE: ) Application Number: RZ11-006/U11-002  
APPLICANT: )  
Corporate Campus LLC )  
PROPERTY: )  
19.4274 Acres Located at the )  
Northeast Corner of Peachtree )  
Dunwoody Road and Hammond Drive )  
and being known as 1140 and 1150 )  
Hammond Drive, City of Sandy Springs )

Now comes Corporate Campus LLC (the "Applicant" hereunder) who does hereby modify and amend the above referenced Application for Rezoning and Use Permit and associated Letter of Intent as follows:

1.

The number of FOR RENT multi-family residential units is hereby modified and amended to be 345 units as was discussed at the Community Zoning Information Meeting on this Application held on June 28, 2011. This results in a density of 17.77 units per acre.

Now, therefore, the Applicant requests that this Application for Rezoning and Use Permit be approved as submitted and as modified and amended hereunder in order that the Applicant be able to proceed with the lawful use and development of the Property.



Nathan V. Hendricks III  
Attorney for the Applicant

6085 Lake Forrest Drive  
Suite 200  
Atlanta, Georgia 30328  
(404) 255-5161

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JUL 06 2011

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Community Development

RZ11-006  
V11-002

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G E O R G I A

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IMPACT ANALYSIS  
FORM B

City of Sandy Springs  
Community Development

Applicant: Corporate Campus LLC

Analyze the impact of the proposed rezoning and answer the following questions:

1. Does the zoning proposal permit a use that is suitable in view of the use and development of adjacent and nearby property? Yes. Adjacent and nearby properties are zoned for office and retail/service/commercial uses and therefore this Application for a mix of uses is suitable.
2. Does the zoning proposal adversely affect the existing use or usability of adjacent or nearby property? No. As stated, adjacent and nearby properties are compatibly zoned and therefore this request will not have any adverse effect upon them.
3. Does the property to be rezoned have a reasonable economic use as currently zoned? Yes. The Property is presently zoned to the MIX District and the Applicant is merely seeking to add multi-family use in lieu of the senior housing use approved in 2009.
4. Will the zoning proposal result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools? No. This zoning proposal will not result in a use that could cause an excessive or burdensome use of existing streets, transportation facilities, utilities or schools.
5. Is the zoning proposal in conformity with the policies and intent of the land use plan? Yes. The Comprehensive Land Use Plan suggests Live/Work Regional development and this proposal complies with the policies and intent of the land use plan through the mix of uses proposed.
6. Are there existing or changing conditions that affect the use and development of the property which support either approval or denial of the zoning proposal? Yes. The existence of the MARTA Station immediately to the east of the Property as well as the development of office, retail and residential in the immediate area of the Property compliment the mix of uses proposed and give supporting grounds for the approval of this Application.
7. Does the zoning proposal permit a use that can be considered environmentally adverse to the natural resources, environment and citizens of the City of Sandy Springs? No. This zoning proposal will not permit a use that could be considered environmentally adverse to the natural resources, environment and citizens of Sandy Springs.

each additional sheets as needed.

12711 006  
011-002

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JUN 07 2011

City of Sandy Springs  
Community Development

Article 19.2.2. Use Permit Considerations:

1. WHETHER THE PROPOSED USE IS CONSISTENT WITH THE COMPREHENSIVE LAND USE PLAN AND/OR ECONOMIC DEVELOPMENT REVITALIZATION PLANS ADOPTED BY THE CITY COUNCIL.

Yes. The Comprehensive Land Use Plan suggests Live/Work Regional development for the Property and this rezoning proposal complies with the suggestion.

2. COMPATIBILITY WITH LAND USES AND ZONING DISTRICTS IN THE VICINITY OF THE PROPERTY FOR WHICH THE USE PERMIT IS PROPOSED.

This proposal is compatible given the O-I zoning and development on the property contiguous and to the north, the TR zoning and development north of that and the O-I zoning and development north of that as well as the C-1 zoning and development immediately to the west and the O-I zoning and development including a hotel directly to the south.

3. WHETHER THE PROPOSED USE MAY VIOLATE LOCAL, STATE AND/OR FEDERAL STATUTES, ORDINANCES OR REGULATIONS GOVERNING LAND DEVELOPMENT.

None are known which would be violated.

4. THE EFFECT OF THE PROPOSED USE ON TRAFFIC FLOW, VEHICULAR AND PEDESTRIAN ALONG ADJOINING STREETS.

None, as this use permit request is to exceed the height limitation.

5. THE LOCATION AND NUMBER OF OFF-STREET PARKING SPACES.

None.

6. THE AMOUNT AND LOCATION OF OPEN SPACE.

As shown on the Site Plan.

7. PROTECTIVE SCREENING.

To be provided as the Property is developed.

8. HOURS AND MANNER OF OPERATION.

Twenty-four hours for the residential and hotel uses.

9. OUTDOOR LIGHTING.

Compliance shall be made with the restrictions of the Zoning Ordinance pertaining to same.

10. INGRESS AND EGRESS TO THE PROPERTY.

As shown on the Site Plan.

Geraid M. Ross, P.E., Commissioner/Chief Engineer



DEPARTMENT OF TRANSPORTATION

One Georgia Center, 600 West Peachtree Street, NW  
Atlanta, Georgia 30308  
Telephone: (404) 631-1000

March 17, 2009

Mr. Harmit Bedi, AICP  
Assistant Director, Planning and Zoning  
Department of Community Affairs  
City of Sandy Springs  
7840 Roswell Road, Building 500  
Sandy Springs, Georgia 30350

RECEIVED  
City of Sandy Springs  
Community Development

RE: Preliminary Zoning Review Board Meeting

Dear Mr. Bedi:

The Office of Urban Design, Georgia Department of Transportation (GDOT) has reviewed the preliminary zoning agenda received by us on March 5, 2009. The information in this letter is provided as a tool to assist the City in the zoning review process. The information below is not intended to express approval, rejection, or any other opinion of the applicant's request.

We offer the following comments on the cases to be heard at this meeting.

**ZM09-002/CV09-002 & U09-003**

**CR262/HAMMOND DRIVE FROM DEKALB COUNTY LINE TO SR 400 SIDEWALK,  
P.I. 3 753300, CM000-7533-00(000), FULTON COUNTY**

This project is the construction of sidewalks along both sides of Hammond Drive from Glenridge Drive to the Fulton-DeKalb County line for a total of 0.86 miles. The proposed project will provide clean, functional, aesthetic sidewalks meeting ADA requirements that will encourage pedestrian travel in the area. If there are any questions, please contact the project manager Albert Shelby at (404) 631-1675.



**NOTICE OF DECISION**

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**To:** Chick Krautler, ARC  
**(via electronic mail)** Sonny Deriso, GRTA  
Kessel Stelling, GRTA  
Ken Bernard, GRTA

Lee Morris, GRTA  
John Sibley, GRTA  
Jeanie Thomas, GRTA

**To:** Karen Handel, Fulton County Commission Chair  
**(via electronic mail and certified mail)** Patrick Chesser, Ackerman & Company

**From:** Steven L. Stancil, GRTA Executive Director

**Copy:** Kirk Fjelstul, GRTA  
**(via electronic mail)** Elizabeth Smith, DCA  
Mike Alexander, ARC  
Steve Walker, GDOT  
Harry Graham, GDOT

Morgan Ellington, Fulton County  
Alex Hofelich, Fulton County  
Patrece Keeter, DeKalb County  
Yvonne Williams, PCID  
Trupti Kalbag, Urban Collage  
Kris Miller, Ackerman  
Leah Guillebeau, URS

**Date:** March 25, 2005

**Re:** Notice of Decision Regarding **DRI 740-Corporate Campus Expansion**

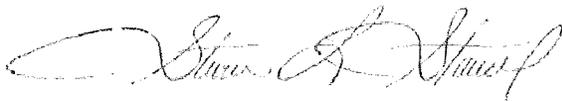
**Notice of Decision for  
Request for Non-Expedited Review of  
DRI 740-Corporate Campus Expansion**

The purpose of this notice is to inform Ackerman & Company (the Applicant), Fulton County (i.e., the local government), the GRTA Land Development Committee, the Georgia Department of Community Affairs (DCA), the Georgia Department of Transportation (GDOT), and the Atlanta Regional Commission (ARC) of GRTA's decision regarding DRI 740-Corporate Campus Expansion (the DRI Plan of Development). GRTA has completed a non-expedited review for the DRI Plan of Development pursuant to sections 3-101 and 3-103.A of the *Procedures and Principles for GRTA Development of Regional Impact Review* and has determined that the DRI Plan of Development meets the GRTA review criteria set forth in Sections 3-101 and 3-103.A. The DRI Plan of Development as proposed is **approved subject to conditions**, as provided in Attachment A and subject to the limitations placed on allowable modifications to the DRI Plan of Development, as described in Attachment B.

Subject to the conditions set forth in Attachment A and Attachment B, GRTA will approve the expenditure of state and/or federal funds for providing the Land Transportation Services and Access improvements listed in Section 2 of Attachment C. The need for said approval shall terminate and be of no further force and effect after ten (10) years from the date of this Notice of Decision, unless the local government has issued a permit for the construction of any part of the proposed DRI Plan of Development prior to the end of the ten-year period.

The notice of decision is based upon review of the applicant's DRI Review Package. The Review Package includes the site development plan dated February 28, 2005 and received by GRTA on February 28, 2005, prepared by Phillips Partnership, titled "Preliminary Site Plan" (Site Plan) and the analysis prepared by URS Corporation dated February 21, 2005 and received by GRTA on February 21, 2005 (together the Review Package).

Pursuant to Section 2-501 of the *Procedures and Principles for GRTA Development of Regional Impact Review*, the Applicant, the GRTA Land Development Committee and the local government have a right to appeal this decision within five (5) working days of the date on this letter by filing a Notice of Appeal with the GRTA Land Development Committee. A Notice of Appeal must specify the grounds for the appeal and present any argument or analysis in support of the appeal. For further information regarding the right to appeal, consult Part 5 of the *Procedures and Principles for GRTA Development of Regional Impact Review*, available from GRTA or on the Worldwide Web at <<http://www.grta.org/dri/home.htm>>. If GRTA staff receives an appeal, you will receive another notice from GRTA and the Land Development Committee will hear the appeal at its April 13, 2005 meeting.



Steven L. Stancil  
Executive Director  
Georgia Regional Transportation Authority

## Attachment A – General Conditions

### Conditions to GRTA Notice of Decision:

- Development Intensity and use
  - The development shall include residential, office and retail uses.
- Road Connectivity
  - Proposed “New Road” shall be open to traffic upon issuance of a Certificate of Occupancy for the retail uses and the residential/office building
  - Driveway D and Driveway E shall be closed when “New Road” is open to traffic (upon issuance of a Certificate of Occupancy for the residential/office building)
  - Provide two continuous vehicular/pedestrian connections from Peachtree-Dunwoody Road to the proposed “New Road”
    - Driveway A to “New Road”
    - Driveway B to “New Road”
  - Provide a continuous vehicular/pedestrian connection from Hammond Drive (Driveway C) to Driveway A roadway. Preserve the ability to extend this connection to the northern property line at a future date.
- Parking Facilities
  - The Fulton County minimum allowed parking for retail, restaurant, office, and residential units shall be the maximum allowed for the DRI.
- Pedestrian facilities
  - Provide sidewalks adjacent to all exterior roadways, including the proposed “New Road”
  - At a minimum, provide a single side of sidewalks along the internal roadways routes (Driveways A and B to the “New Road” and from Driveway C to Driveway A roadway).

### Roadway Improvements as Conditions to GRTA Notice of Decision:

The following improvements are required on and adjacent to *state* routes:

- None

The following improvements are required on and adjacent to *non-state* routes:

#### **Peachtree-Dunwoody Road at Hammond Drive**

- Addition of an exclusive northbound right-turn lane on Peachtree-Dunwoody Road.
- Addition of an exclusive westbound right-turn lane on Hammond Drive.

#### **Hammond Drive at “New Road”**

- Signalize the intersection, when warranted.
- Provide and ensure proper functionality of a traffic signal communication system along Hammond Drive that links, at a minimum, the following intersections across county lines: Peachtree-Dunwoody Road, “New Road” (when signalized), Perimeter Center Parkway

#### **Peachtree-Dunwoody Road at Driveway A**

- Provide separate left-turn and right-turn lanes on the exiting approach.

#### **Hammond Drive at Driveway C**

- Provide separate left-turn and right-turn lanes on the exiting approach.

## **Attachment B – Required Elements of the DRI Plan of Development**

### **Conditions Related to Altering Site Plan after GRTA Notice of Decision:**

The on-site development will be constructed materially (substantially) in accordance with the Site Plan. Changes to the Site Plan will not be considered material or substantial so long as the following conditions are included as part of any changes:

- All of the “Conditions to GRTA Notice of Decision” set forth in Attachment A are satisfied.
- All of the “Roadway Improvements as Conditions to GRTA Notice of Decision” set forth in Attachment A are satisfied.

## **Attachment C – Required Improvements to Serve the DRI**

Pursuant to Section 1-201.R. of the *Procedures and Principles for GRTA Development of Regional Impact Review*, a “Required Improvement means a land transportation service [def. in Section 1-201.N] or access [def. in Section 1-201.A.] improvement which is necessary in order to provide a safe and efficient level of service to residents, employees and visitors of a proposed DRI.”

The Required Improvements in the study network were identified in the Review Package as necessary to bring the level of service up to an applicable standard before the build-out of the proposed project. These requirements are identified in Sections 1 and 2 of this Attachment. Section 1 contains improvements that do not require GRTA approval at this time because they are to be constructed prior to the completion of the DRI Plan of Development. However, GRTA approval shall be required in the event state and/or federal funds are proposed at a later date to be used for any portion of the improvements described in Section 1. Section 2 contains improvements that require GRTA approval prior to the expenditure of state and/or federal funding. Subject to the conditions set forth in Attachment A and Attachment B, GRTA approves the expenditure of state/and or federal funding for the improvements contained in Section 2.

### **Section 1.**

#### **Peachtree-Dunwoody Road at Hammond Drive**

- Addition of an exclusive northbound right-turn lane on Peachtree-Dunwoody Road.
- Addition of an exclusive westbound right-turn lane on Hammond Drive.

#### **Hammond Drive at “New Road”**

- Signalize the intersection, when warranted.
- Provide and ensure proper functionality of a traffic signal communication system along Hammond Drive that links, at a minimum, the following intersections across jurisdictional lines: Peachtree-Dunwoody Road, “New Road” (when signalized), Perimeter Center Parkway

#### **Peachtree-Dunwoody Road at Driveway A**

- Provide separate left-turn and right-turn lanes on the exiting approach.

#### **Hammond Drive at Driveway C**

- Provide separate left-turn and right-turn lanes on the exiting approach.

### **Section 2.**

#### **Peachtree-Dunwoody Road at Glenridge Connector**

- Addition of right-turn overlap phasing for eastbound Peachtree-Dunwoody Road
- Channelization of southbound right-turn lane on Peachtree-Dunwoody Road to provide free-flow operations.

#### **Peachtree-Dunwoody Road at Johnson Ferry Road**

- Addition of southbound right-turn overlap phase.

#### **Peachtree-Dunwoody Road at I-285 Eastbound On-ramp**

- Addition of an exclusive northbound right-turn lane on Peachtree-Dunwoody Road.

#### **Peachtree-Dunwoody Road at Hammond Drive**

- Addition of an exclusive northbound right-turn lane on Peachtree-Dunwoody Road.
- Addition of an exclusive westbound right-turn lane on Hammond Drive.

#### **Hammond Drive at Barfield Road**

- Addition of right-turn overlap phasing on southbound Barfield Road.
- Addition of a westbound right-turn lane on Hammond Drive

#### **Hammond Drive at Perimeter Center Parkway**

- Addition of eastbound right-turn lane;
- Addition of second westbound left-turn lane with protected-only phasing;
- Addition of two exclusive northbound right-turn lanes;
- Addition of second southbound left-turn lane with protected-only phasing; and
- Addition of permissive-plus-overlap phasing for northbound and southbound right-turn movements.
- Addition of permissive-plus-overlap phasing for westbound right-turn movements.
- Extend Perimeter Center Parkway to intersect Lake Hearn Drive. (DK-215A&B)



# CITY OF ATLANTA

KASIM REED  
MAYOR

BUREAU OF OPERATIONS  
651 14<sup>TH</sup> STREET, NW  
ATLANTA, GEORGIA 30318  
Office: (404) 235-2020 Fax: (404) 982-1400

DEPARTMENT OF  
WATERSHED MANAGEMENT  
JO ANN MACRINA  
Commissioner

July 25, 2011

Ms. Patrice S. Ruffin  
City of Sandy Springs  
Department of Community Development  
Planning and Zoning Division  
7840 Roswell Road, Building 500  
Sandy Springs, GA. 30350

**Subject: Water Availability at 1140 & 1150 Hammond Drive**

Dear Ms. Ruffin:

Our records indicate there is an existing 12-inch water main along Hammond Drive which is owned and maintained by the City of Atlanta.

To integrate into Atlanta Water System or rearrange water facilities, the developer must submit the following to the City of Atlanta-Bureau of Drinking Water:

1. A set of stamped engineering drawings showing their developmental objectives for review and approval,
2. The enclosed basis of design,
3. A two thousand dollar deposit (\$2,000.00). Check must be made payable to City of Atlanta.

Once the plans have been approved, the developer will then receive additional instructions regarding the process and procedures from the Bureau of Drinking Water.

Should you need additional information, please contact me at 404-235-2095.

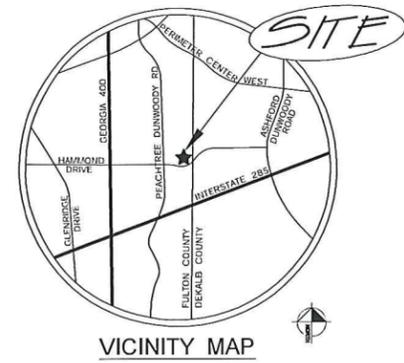
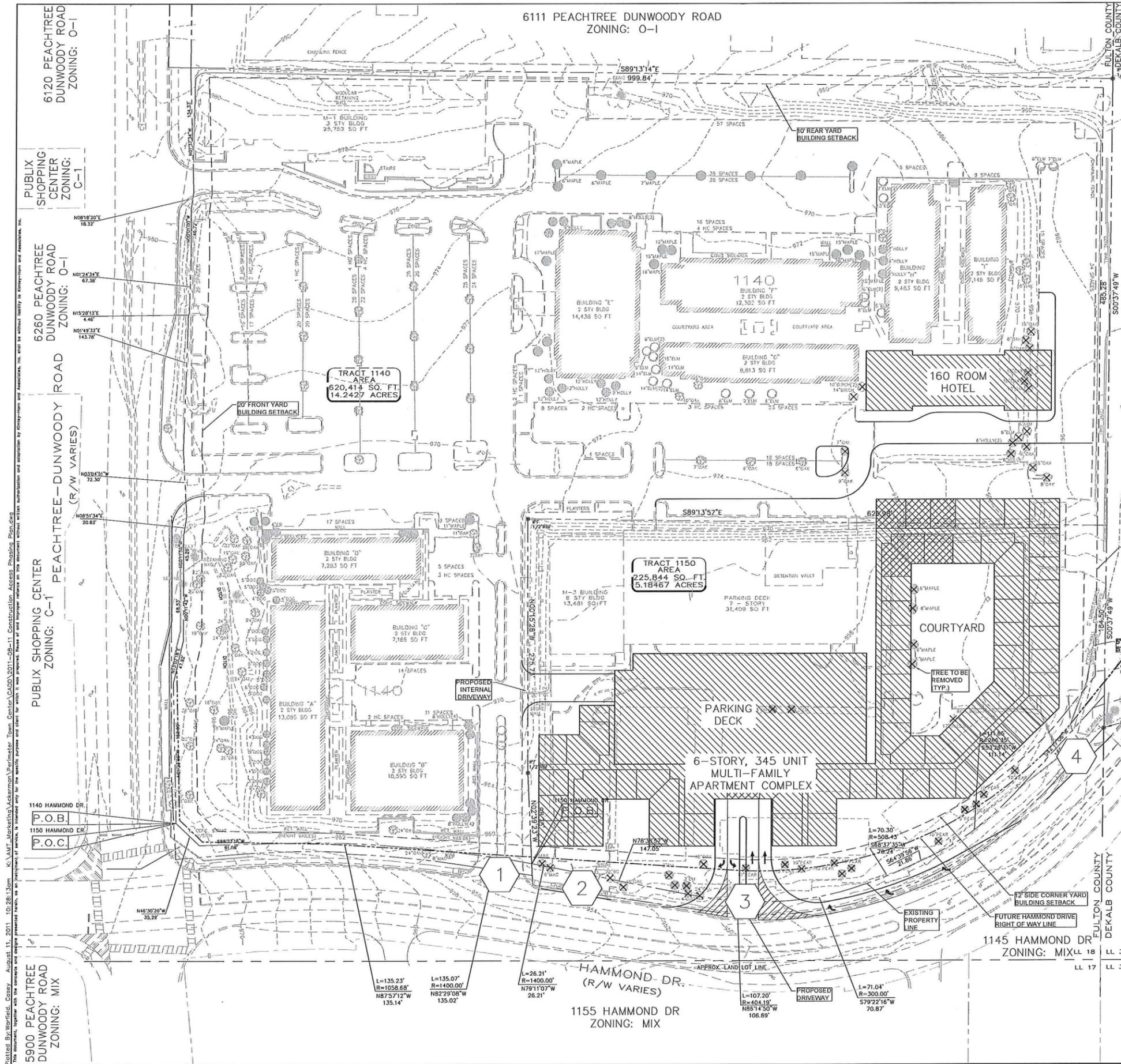
Sincerely

Nar Chaudhry, P.E. Chief Engineer  
Bureau of Drinking Water  
Department of Watershed Management  
651 14<sup>th</sup> Street, N.W.  
Atlanta, Georgia 30318  
Phone 404-235-2095  
Fax 404-235-1400  
E-mail nar.chaudhry@atlwater.com

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JUL 29 2011

City of Sandy Springs  
Community Development



RZ11-006  
RECEIVED  
AUG 1 1 2011  
 City of Sandy Springs  
 Community Development

**HAMMOND DRIVE CONSTRUCTION ACCESS PHASING PLAN**

#	ACTIVITY	DURATION	HAMMOND ACCESS
1	DEMOLITION	60 DAYS	CUT 2 & CUT 4. WILL GET VARIANCE FOR AFTER HOUR HAUL OFF.
2	SITEWORK	90 DAYS	CUT 2 & CUT 4. WILL GET VARIANCE FOR AFTER HOUR EQUIPMENT DELIVERIES AND ANY DIRT HAUL OFF.
3	GARAGE FOUNDATIONS	60 DAYS	CUT 2 & CUT 4. WILL GET VARIANCE FOR AFTER HOUR EQUIPMENT DELIVERIES AND ANY DIRT HAUL OFF.
4	BUILD HAMMOND DRIVEWAY (CUT 3)	60 DAYS	TO BE DONE SEQUENTIALLY WITH GARAGE FOUNDATIONS AND SITEWORK. REMAINS CLOSED AFTER COMPLETION.
5	DECK CONSTRUCTION	120 DAYS	CUT 2. DUE TO GRADE - ALL PRECAST DELIVERIES TO BE AT.
6	GARAGE CO	30 DAYS	*GARAGE TO BE ACCESSED VIA EXISTING GARAGE ONLY TEMPORARILY UNTIL OPENING CUT 3.
7	FOUNDATION PACKAGE - BUILDINGS	60 DAYS	TO BE DONE SEQUENTIALLY WITH GARAGE FOUNDATIONS AND SITEWORK. REMAINS CLOSED AFTER COMPLETION.
8	CLOSE CUT 2 AFTER DECK COMPLETION		ASSEMBLY BUT WILL USE A SEPARATE ENTRY.
9	FRAMING AND CONSTRUCTION	120 DAYS	CUT 4 EXCLUSIVELY.
10	SHELL CO	30 DAYS	
11	OPEN CUT 3		
12	CLOSE CUT 4		
13	FINAL CO	30 DAYS	

CUT 1 - EXISTING DOUBLE LANE ROAD, TO BE RIGHT-IN / RIGHT-OUT UPON CO. REMAINS OPEN  
 CUT 2 - EXISTING CUT SERVING 1150A TO BE CLOSED UPON CO  
 CUT 3 - FUTURE DECK SERVING APARTMENTS  
 CUT 4 - EXISTING CUT SERVING 1150B TO BE CLOSED UPON CO

**RAVIN PARTNERS**  
 227 W. TRADE STREET, SUITE 900  
 CHARLOTTE, NC 28202  
 PHONE: (704) 676-1588

**PERIMETER TOWN CENTER**  
**HAMMOND DRIVE CONSTRUCTION ACCESS PHASING PLAN**

SHEET NUMBER  
 1 of 1

KIMLEY-HORN and Associates, Inc.  
 2011 W. HUNLEY-HORN AND ASSOCIATES, INC.  
 877 W. PEACHTREE STREET, 11TH FLOOR, SUITE 600, ATLANTA, GA 30309  
 PHONE: (404) 875-4300 FAX: (404) 419-8700  
 WWW.KIMLEY-HORN.COM

NO.	REVISIONS	DATE	BY

Project: By: Warfield, Casey August 11, 2011 10:28:10am K:\AMT\_Marketing\Ackerman\Perimeter Town Center\CA001\2011-08-11 Construction Access Phasing Plan.dwg  
 This document, together with the contracts and design presentation herein, is prepared only for the specific purpose and client for which it was prepared. It is not to be used for any other purpose without the written authorization and signature of Kimley-Horn and Associates, Inc.

# HAMMOND DRIVE CONSTRUCTION ACCESS PHASING PLAN

#	ACTIVITY	DURATION	HAMMOND ACCESS
1	DEMOLITION	60 DAYS	CUT 2 & CUT 4. WILL GET VARIANCE FOR AFTER HOUR HAUL OFF
2	SITWORK	90 DAYS	CUT 2 & CUT 4. WILL GET VARIANCE FOR AFTER HOUR EQUIPMENT DELIVERIES AND ANY DIRT HAUL OFF.
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7	FOUNDATION PACKAGE - BUILDINGS	60 DAYS	CUT 4. THIS WILL BUILD SEQUENTIALLY TO THE DECK ASSEMBLY BUT WILL USE A SEPARATE ENTRY.
8	CLOSE CUT 2 AFTER DECK COMPLETION		
9	FRAMING AND CONSTRUCTION	120 DAYS	CUT 4 EXCLUSIVELY.
10	SHELL CO	30 DAYS	
11	OPEN CUT 3		
12	CLOSE CUT 4		
13	FINAL CO	30 DAYS	

CUT 1 - EXISTING DOUBLE LANE ROAD, TO BE RIGHT-IN / RIGHT-OUT UPON CO. REMAINS OPEN  
 CUT 2 - EXISTING CUT SERVING 1150A TO BE CLOSED UPON CO  
 CUT 3 - FUTURE DECK SERVING APARTMENTS  
 CUT 4 - EXISTING CUT SERVING 1150D TO BE CLOSED UPON CO

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AUG 11 2011

12711-006

City of Sandy Springs  
Community Development



Kimley-Horn  
and Associates, Inc.

12211-006  
RECEIVED

AUG 11 2011

City of Sandy Springs  
Community Development

MEMORANDUM

DATE: August 11, 2011  
TO: Mr. Walter S. Rekuc, Jr.  
CC: Mr. Phillip Allen  
Ms. Kristen Wescott  
Ms. Nancy Leathers  
Ms. Patrice Ruffin  
Mr. Doug Trettin  
FROM: Casey Warfield, P.E.  
RE: Perimeter Town Center Multi-Family Apartment Trip Generation

817 W. Peachtree Street, NW  
The Biltmore, Suite 601  
Atlanta, Georgia  
30308

In 2005 a DRI analysis was performed for the Perimeter Town Center property (formerly called Corporate Campus) located at the northeastern corner of the intersection of Peachtree Dunwoody Road and Hammond Drive. As part of this analysis, 400 residential condominium units (ITE land use 230) were proposed. The property was then rezoned in 2009 to allow for the construction of two 30-story senior living towers consisting of 479 independent senior living units (ITE land use 252) and 92 assisted living units (ITE land use 254) in lieu of the condominium units. The property is now proposed to house a 6-story multi-family residential apartment complex (ITE land use 220) consisting of a total of 345 dwelling units in lieu of the senior living towers. The previous senior living land use generated 1,938 trips per day while the proposed apartment land use will generate 2,214 trips per day. This is an increase of 276 trips per day or 14%. The originally approved condominium land use generated 2,149 trips per day. Comparing the currently proposed apartments to the originally proposed condominiums creates a net increase of 65 trips per day or 3%, and a reduction of 65 dwelling units from the original DRI.

The overall number of trips concentrated on the proposed Hammond Drive intersection will be reduced as the proposed hotel use (ITE land use 310) will now be located where the trips will be distributed throughout the site; whereas, traffic for the hotel was previously anticipated to be directed solely to the Hammond Drive intersection.

\*Land uses and trip generation data taken from the ITE Trip Generation Manual, 8<sup>th</sup> Edition.

Very truly yours;

Kimley-Horn and Associates, Inc.

Casey Warfield, P.E.

TEL 404 419 8700  
FAX 404 419 8701



AGENDA ITEM	ZONING COMMENTS
RZ11-006/ U11-002	<p>The Fulton County Department of Health and Wellness recommends that the applicant be required to connect the proposed 345-unit apartment complex and 160-room hotel to public water and public sanitary sewer available to the site.</p> <p>Since this proposed development constitutes a premise where people work, live or congregate, onsite sanitary facilities will be mandatory, prior to use or occupancy.</p> <p>The commercial parts of this development must comply with the Fulton County Code of Ordinances and Code of Resolutions, Chapter 34 – Health and Sanitation, Article III – Smokefree Air.</p> <p>If this proposed development includes a food service facility, the owner must submit kitchen plans for review and approval by this Department before issuance of a building permit and beginning construction. The owner must obtain a food service permit prior to opening.</p> <p>If this proposed development includes a public swimming pool as defined in the regulations including spas, whirlpools, etc., the owner or contractor must submit plans for review and approval by this Department and must obtain a Department of Health and Wellness permit to construct before issuance of a building permit. Also, the owner of the facility must obtain a Department of Health and Wellness permit to operate the pool prior to opening.</p> <p>This department is requiring that plans indicating the number and location of outside refuse containers along with typical details of the pad and approach area for the refuse container be submitted for review and approval.</p> <p>Since this proposed development includes a tourist accommodation as defined in the DHR rules and regulations for tourist accommodations, the owner or contractor must submit plans for review and approval by this department before issuance of a building permit and beginning construction. The owner must obtain a tourist accommodation permit prior to opening.</p> <p>This department is requiring that all existing structures to be demolished must be inspected by a certified pest control operator to insure that the premise is rat free. If evidence of rodent infestation is found, the property must be baited prior to demolition.</p>

**RECEIVED**

AUG 09 2011

City of Sandy Springs  
Community Development